



APPLICATION ACCEPTED: December 19, 2011
APPLICATION AMENDED: February 24, 2012
BOARD OF ZONING APPEALS: June 27, 2012
MOVED AT APPLICANT'S REQUEST
TIME: 9:00 a.m.

County of Fairfax, Virginia

June 20, 2012

STAFF REPORT

SPECIAL PERMIT AMENDMENT APPLICATION NO. SPA 76-S-109-02

PROVIDENCE DISTRICT

APPLICANTS: La Iglesia de Santa Maria and New Building Blocks
Preschool, LLC and Dialogue Russian Center for
Cultural Development (Dialogue RCCD), LLC d/b/a
Metaphor Russian Language School

STREET ADDRESSES: 6928 and 7000 Arlington Boulevard

TAX MAP REFERENCES: 50-4 ((16)) 127, 128, 129, 182, 182A, 183, 184 and
50-3 ((6)) 185

LOT SIZE: 3.98 acres

FAR: 0.06

ZONING DISTRICT: R-4

ZONING ORDINANCE PROVISIONS: 3-403

PLAN MAP: Public Facilities, Governmental and Institutional

SPECIAL PERMIT PROPOSAL: To amend SP 76 S-109 previously approved for
church with child care center to permit the addition of
a nursery school, school of special education and
increase in land area

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B. Cho



STAFF RECOMMENDATION: Staff recommends approval of SPA 76-S-109-02, subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicants/owners from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

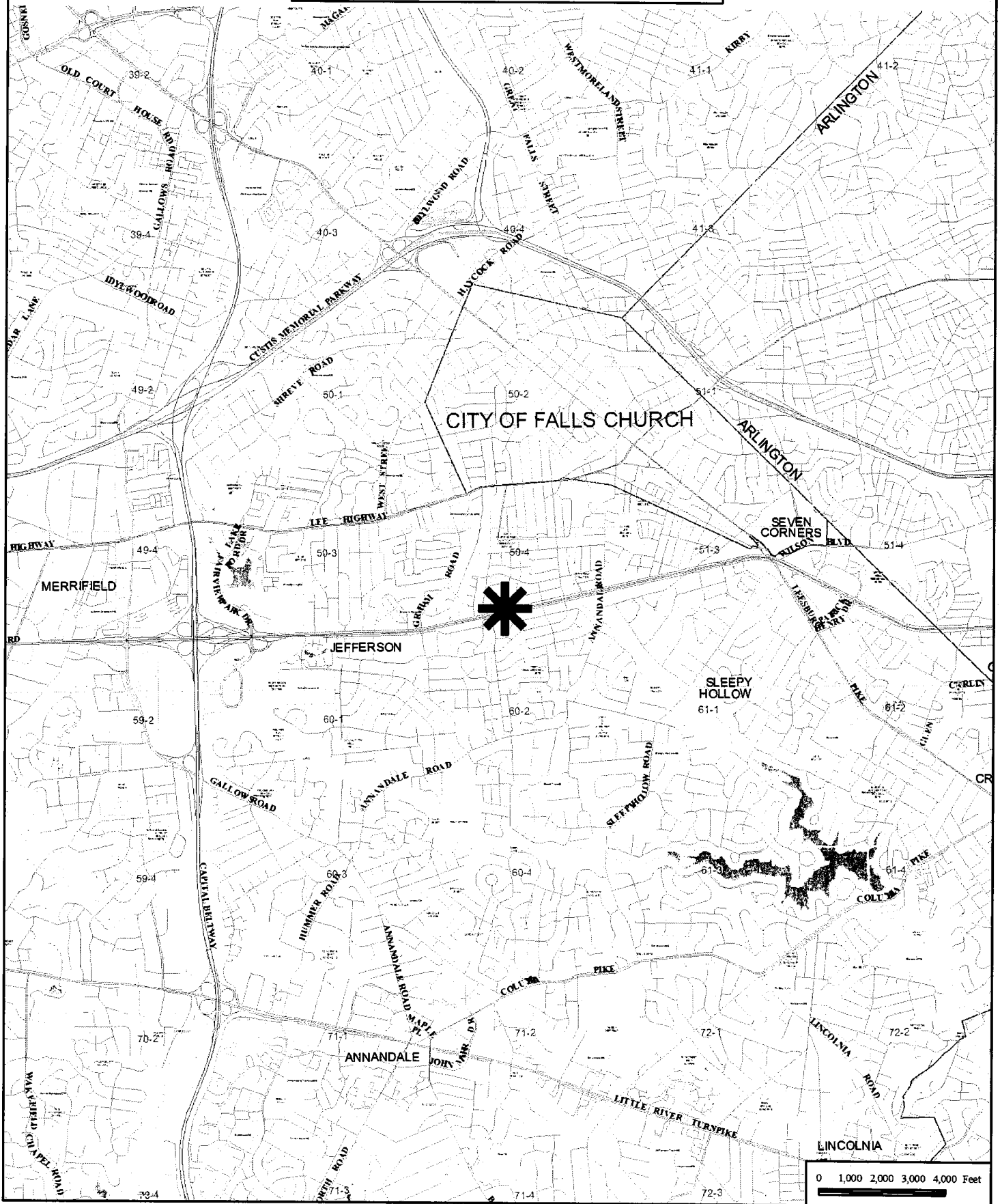


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit Amendment

SPA 76-S-109-02

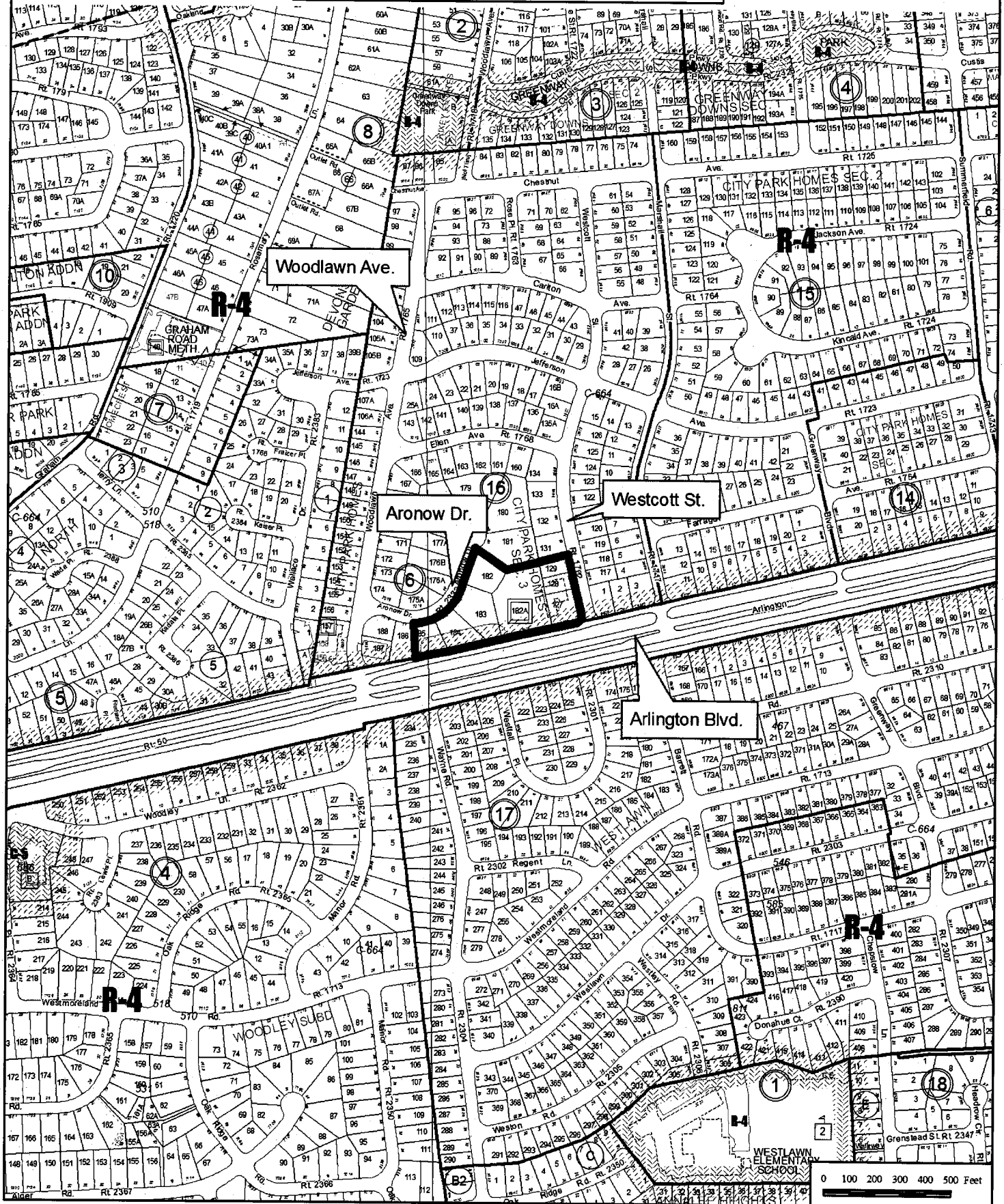
LA IGLESIA DE SANTA MARIA AND NEW BUILDING
BLOCKS PRESCHOOL LLC, AND DIALOGUE, RUSSIAN
CENTER FOR CULTURAL DEVELOPMENT



Special Permit Amendment

SPA 76-S-109-02

LA IGLESIA DE SANTA MARIA AND NEW BUILDING
BLOCKS PRESCHOOL LLC, AND DIALOGUE, RUSSIAN
CENTER FOR CULTURAL DEVELOPMENT



-NOTES-
Ter MapKat: 50-4-Sub; 182A, 182 & 183.
Legals: Lots 182A, 182 & 183.
 Lot 182 "WIT" PARK HOMES
 Kochi
Cotton K-4
Owner/Applicant: This lot is 96' x 40'.
Agent: George B. Kenne

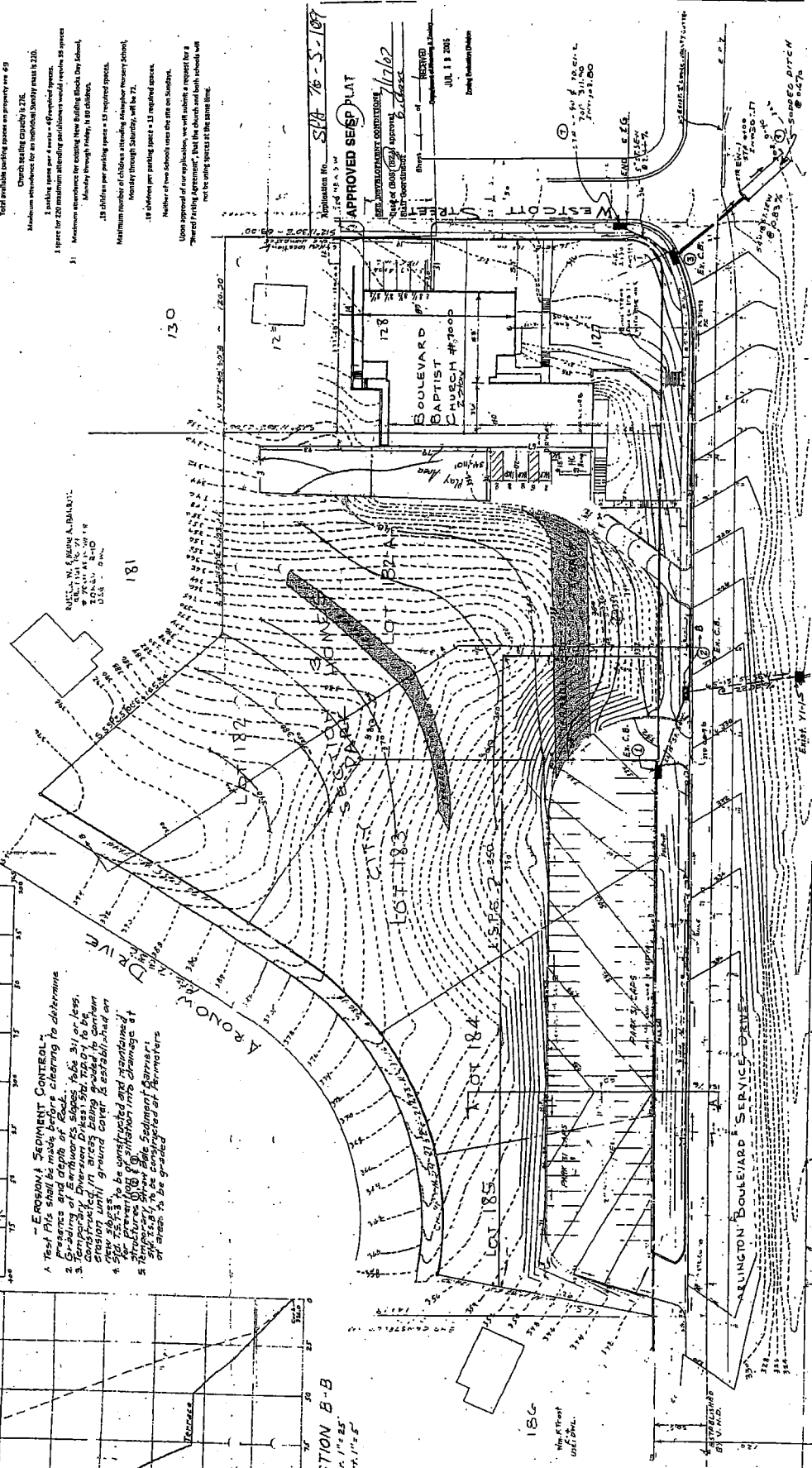
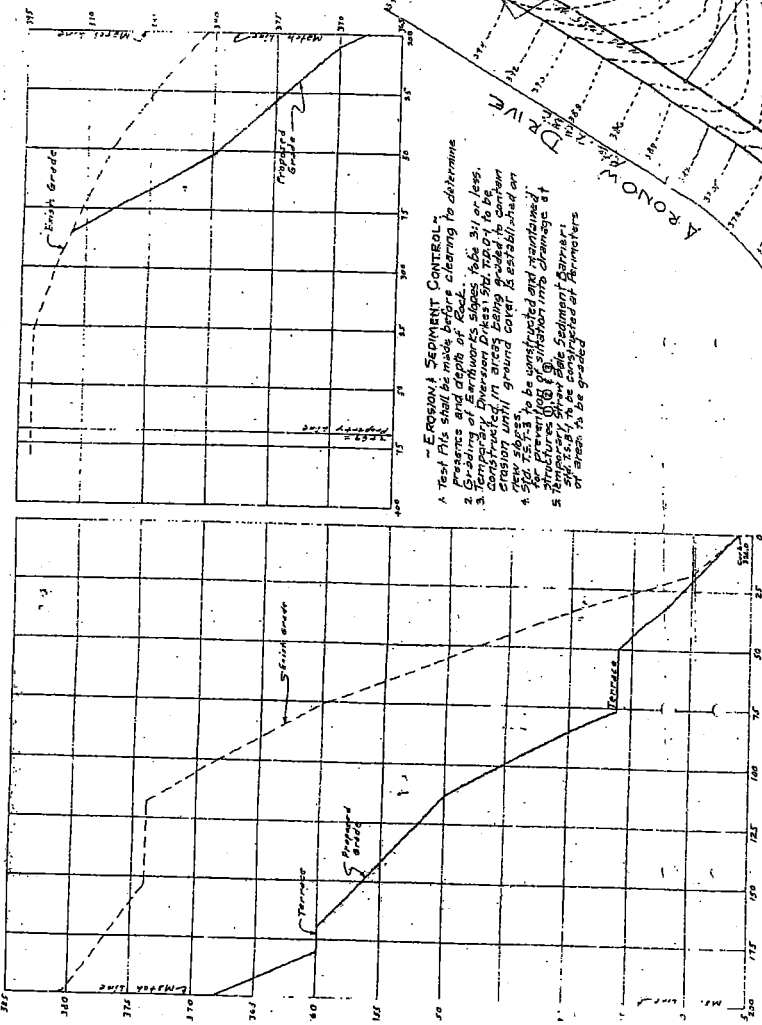
PROPOSED GRADING PLAN
For
BOULEVARD BAPTIST CHURCH
Fairfax County, Virginia
Scale: 1" = 30' Jan. 11, 1984

Prepared By:
GEORGE B. KORTE
 Land Surveyor
 7141 Shreve Road
 Falls Church, Virginia
 Attachment to Tax Map Parcel
 50-4(15) 1824, WSR 0087 021

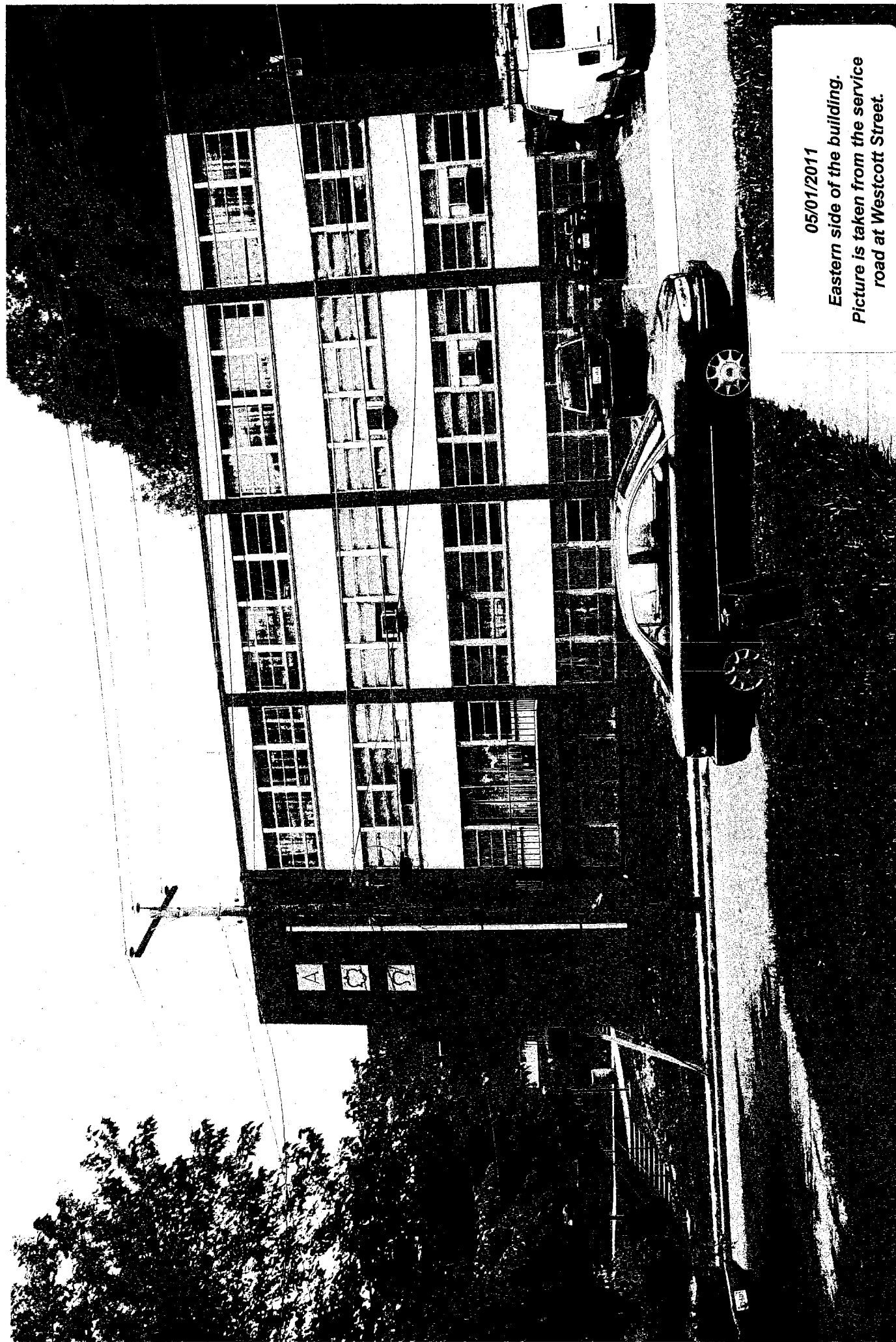
Total available parking spaces on property are



- CHURCH BELONGS TO GOD.**
Maximum attendance for an individual Sunday meal is 200.
1. 1 seating plan and 4 seats = 4 required spaces.
2. 1 space for 220 maximum attending attendees would require 38 required spaces.
Maximum attendance for existing New Building Church School:
Maximum through Holy Trinity, 40 children.
Maximum through Holy Trinity, 40 children.
18 children per parking space = 13 required spaces.
Maximum number of children attending Ambassador Wesley School:
Monday through Thursday, 75.
18 children per parking space = 13 required spaces.
Maximum number of children attending the church on Sunday:
Number of new schools over the 40 on Sunday.
Upon approval of our application, we will submit a request for a "Special Parking Agreement" that the Church and both schools will not be using spaces at the same time.



PROFILE SECTION B-B
Scale: Hor. 1" = 25'
Vert. 1" = 5'



05/01/2011

Eastern side of the building.
Picture is taken from the service
road at Westcott Street.

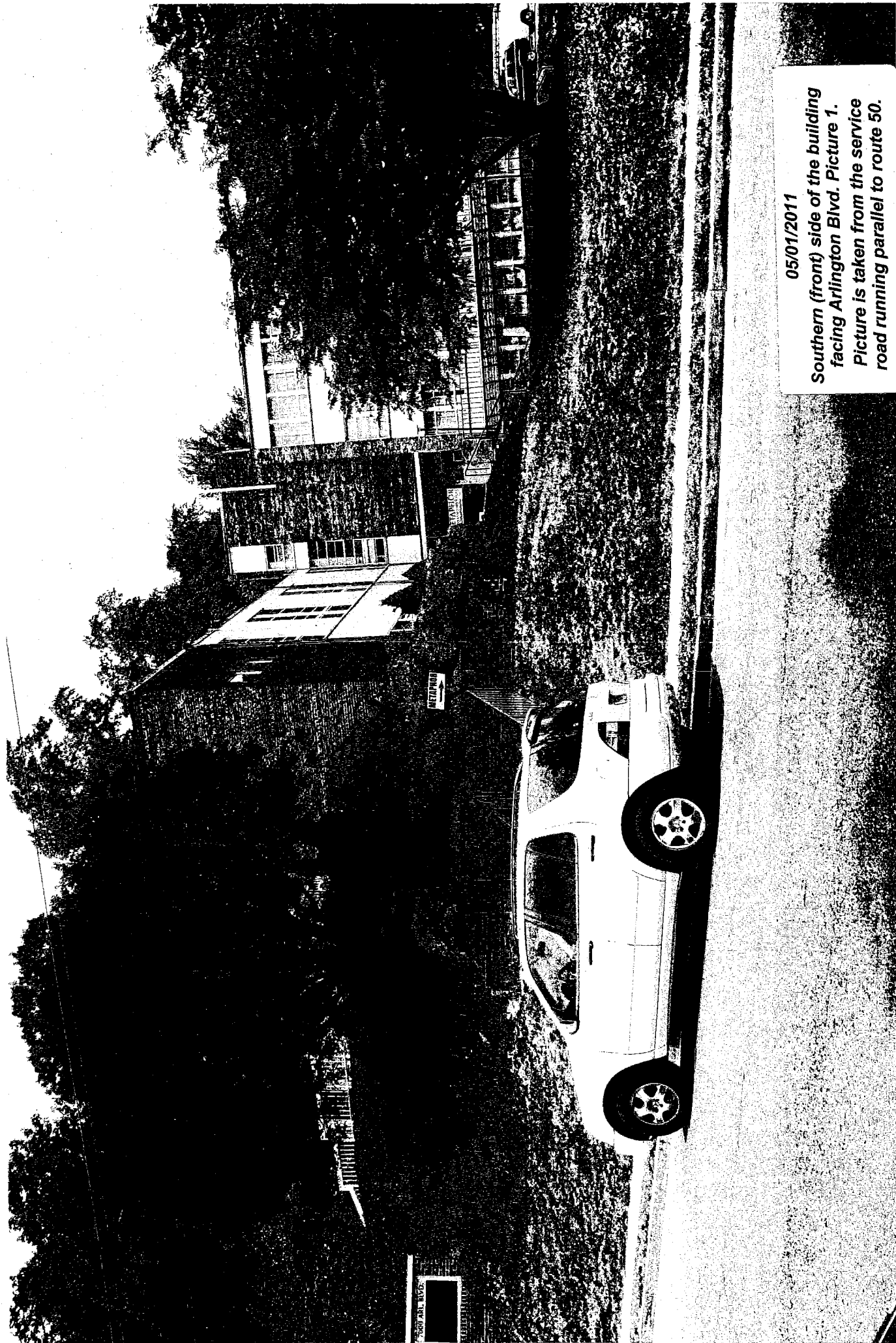


05/01/2011
Northeastern corner of the property
Picture is taken from the service
road at Westcott Street.



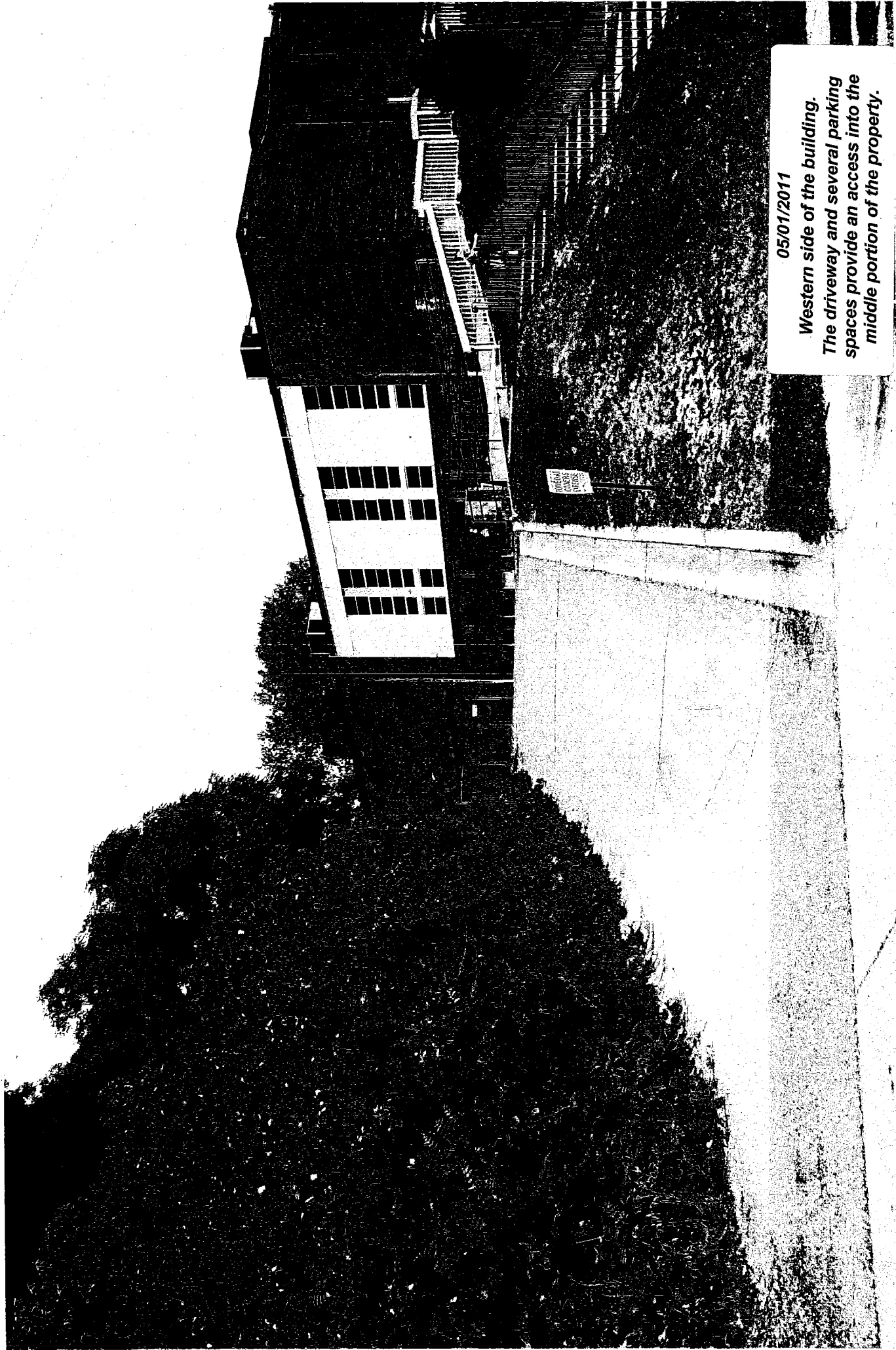
05/01/2011

Southern (front) side of the building
facing Arlington Blvd. Picture 2.
Picture is taken from the service
road running parallel to route 50.



05/01/2011

Southern (front) side of the building
facing Arlington Blvd. Picture 1.
Picture is taken from the service
road running parallel to route 50.



05/01/2011

Western side of the building.
The driveway and several parking
spaces provide an access into the
middle portion of the property.



05/01/2011

The playground is attached to the western side of the building.

Picture is taken from the center of the playground. Looking North.

05/01/2011

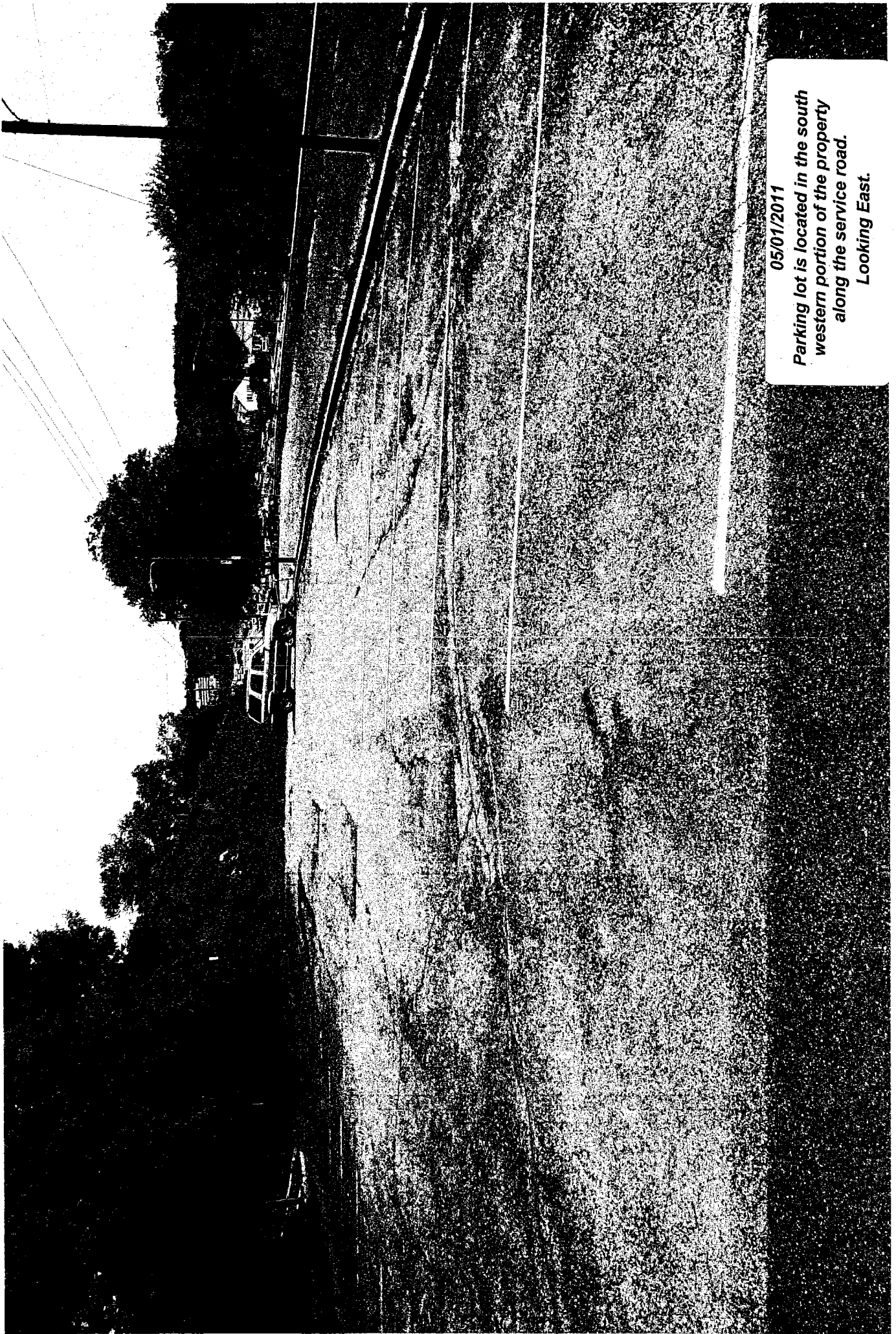
Southwestern portion of the
property.

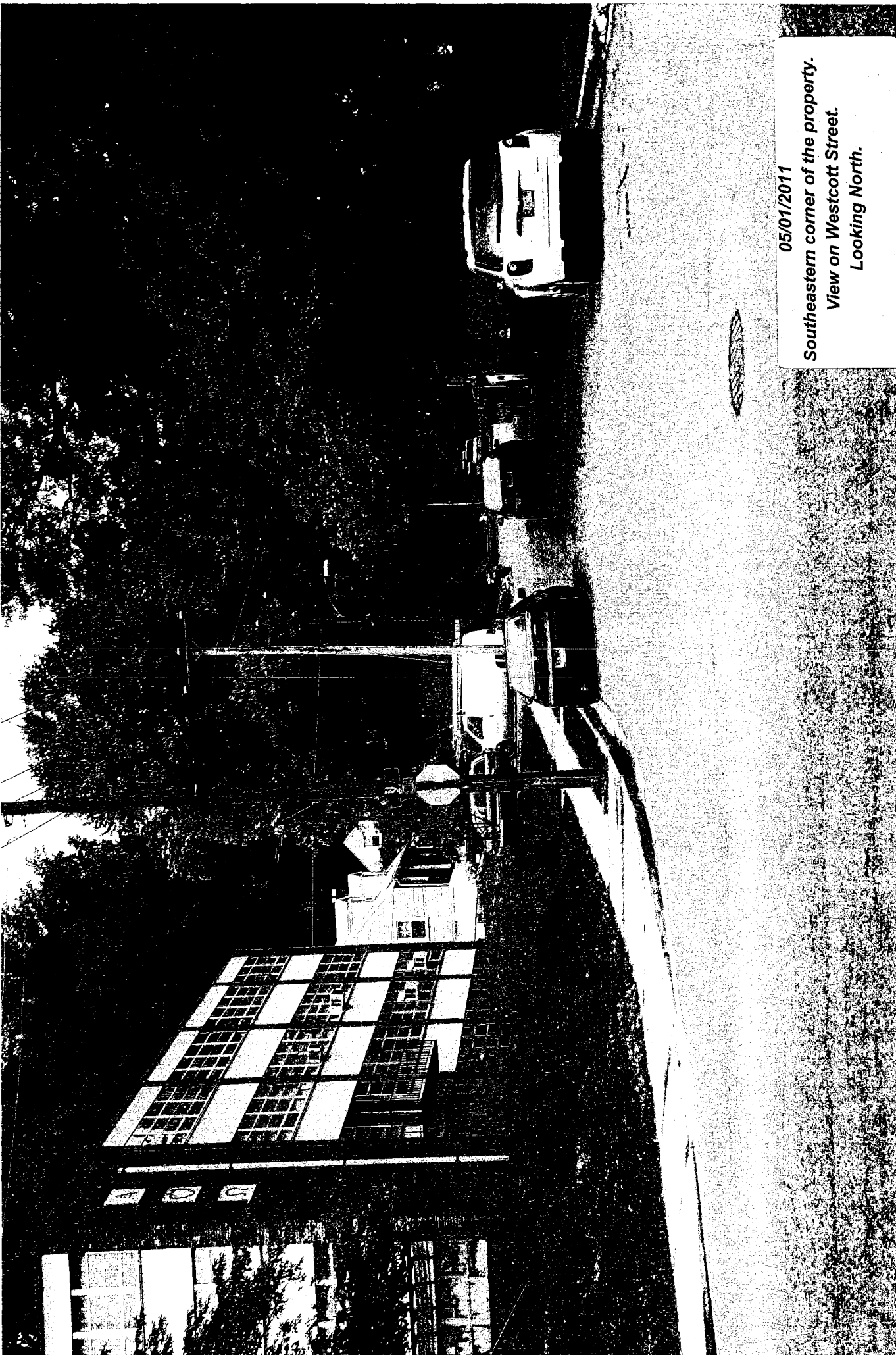
One of two accesses to the parking
lot. View from the service road.



05/01/2011

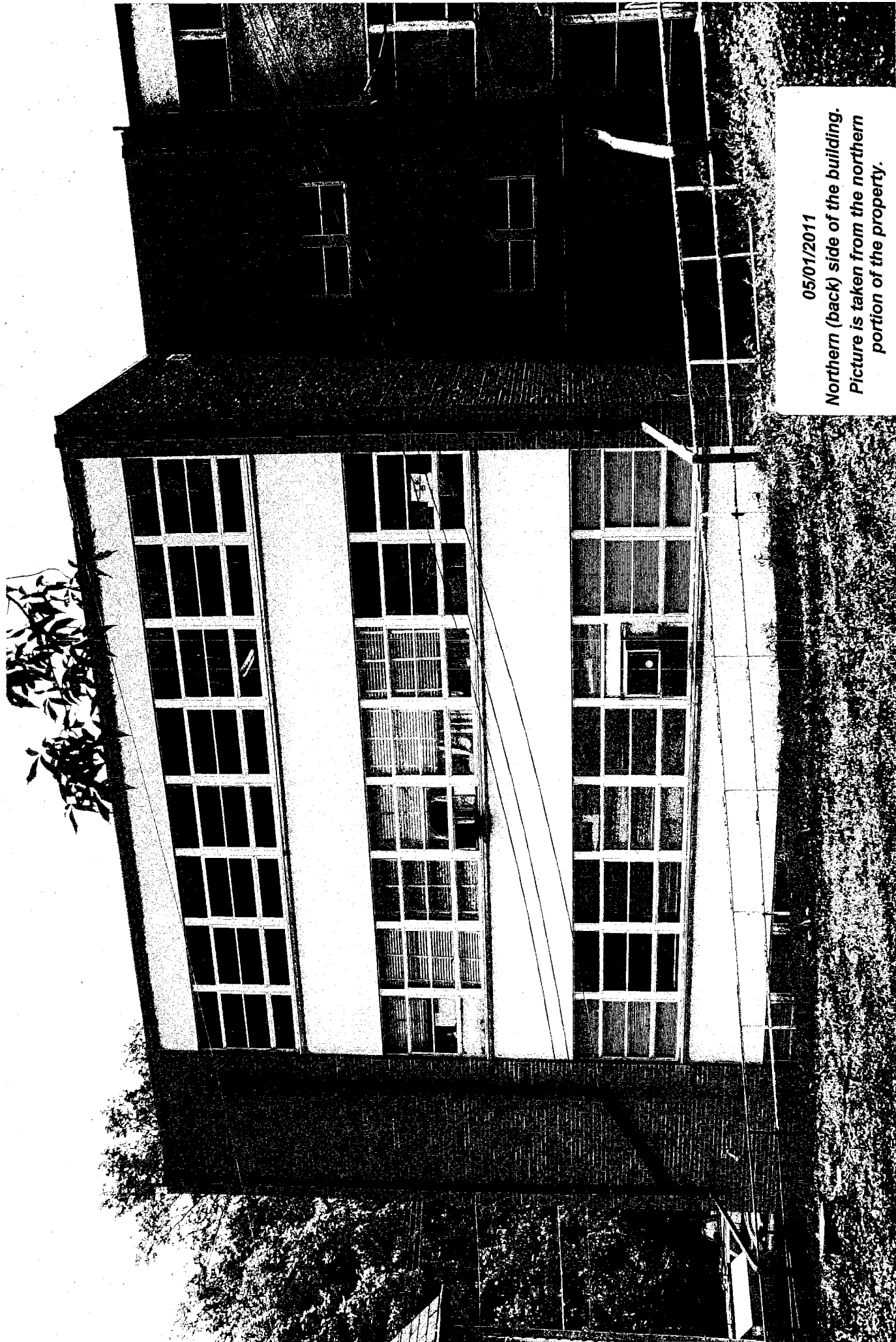
Parking lot is located in the south
western portion of the property
along the service road.
Looking East.





05/01/2011

Southeastern corner of the property.
View on Westcott Street.
Looking North.

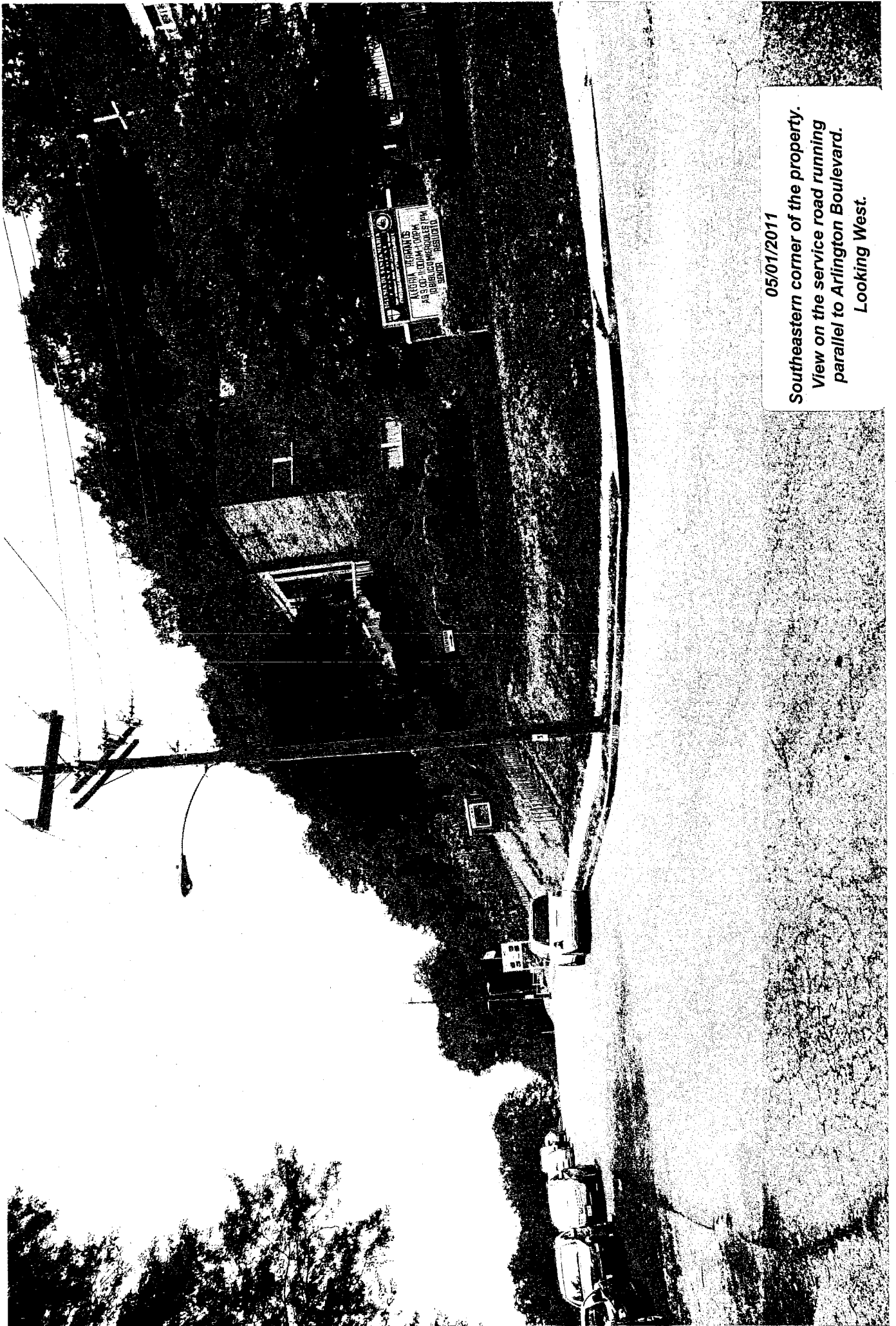


05/01/2011

Northern (back) side of the building.
Picture is taken from the northern
portion of the property.

05/01/2011

Southeastern corner of the property.
View on the service road running
parallel to Arlington Boulevard.
Looking West.



05/01/2011

Southeastern corner of the property
at the intersection of the
service road parallel to Arlington
Boulevard, and Westcott Street.





05/01/2011

The playground is attached to the western side of the building.
Picture is taken from the center of the playground. Looking South.

DESCRIPTION OF THE APPLICATION

The applicant requests approval to amend SP 76 S-109 previously approved for a church with child care center to permit the addition of a nursery school, school of special education and increase in land area from 3.47 acres to 3.98 acres. The increase in land area is to reflect the addition of a parcel [50-3 ((6)) 185], which was not included in the previous special permit application.

Existing Church and Child Care Center

Lot Size: 3.47 acres

Parking: 69 spaces are required for the church, and 15 parking spaces are required for the child care center

Church Seats: 276 seats

Church Employees: 3

Church Services and Hours: Services are held on Sundays at 9:00 a.m., 11:00 a.m., 1:00 p.m., and 6:00 p.m., and office hours are 9:00 a.m. to 5:00 p.m., Monday through Friday

Child Care Center Students: 80 maximum per day

Child Care Center Employees: 15

Child Care Center Hours: 7:00 a.m. to 6:00 p.m., Monday through Friday

Proposed Nursery School and School of Special Education

Lot Size: 3.98 acres

Parking: 13 parking spaces are required for the nursery school and school of special education

Students: 72 maximum per day for both uses

Ages of Students: 2 years to 10 years, 11 months (as limited by the state license)

Employees: 10 for both uses

Hours: 8:00 a.m. to 5:00 p.m., Monday through Friday and
9:00 a.m. to 4:00 p.m. on Saturday

LOCATION AND CHARACTER OF AREA

Existing Site Description

The subject site is located at 6928 and 7000 Arlington Boulevard at the corner of Arlington Boulevard and Westcott Street. The 3.98 acre site is zoned R-4 and the grade on the site slopes up from the street. The site is developed with a place of worship with the church and classroom building fronting on Arlington Boulevard. The original two-story structure was built prior to 1950, and an addition was approved in 1950. A single family detached dwelling is located next to the classroom building along Westcott Street on Lot 129, and the dwelling is used as a parsonage. There are a total of 69 parking spaces on the site. 62 parking spaces are located in a parking lot on the west side of the site, 4 parking spaces are located along Westcott Street, and 3 handicap parking spaces are located off a driveway from the service drive along Arlington Boulevard. There is a play area located next to the sanctuary building. Along the parking lot, there is a forested area with a short pathway, which terminates at a small gathering area. The site is landscaped with grass, trees, and shrubs.

Surrounding Area Description

Direction	Use	Zoning
North	Single family detached dwelling	R-4
South	Arlington Boulevard	-
East	Single family detached dwelling	R-4
West	Single family detached dwelling	R-4

BACKGROUND

Following a complaint, a notice of violation (NOV) was issued on June 17, 2011 for a violation of the Special Permit Uses approved on site, and a copy of the NOV is attached as Appendix 4. On July 17, 2007, the Board of Zoning Appeals (BZA) approved SPA 76-S-109 to amend SP 76-S-109, which was previously approved for a church, to permit a change in permittee and child care center.

A copy of the approved development conditions and plat are attached as Appendix 5. On November 13, 1984, the BZA approved SP 84-P-065 for the Boulevard Baptist Church to permit grading and landscaping and additional parking spaces to the existing church. This application brought the church under special permit use. On September

26, 1978, the BZA approved S-193-78 to amend a previous special permit application for a new child care center (New Vista Day Care Center) with a maximum of 60 children between the ages of 2 and 10 years to operate Monday through Friday, 7:00 a.m. to 6:00 p.m. On July 6, 1976, the BZA approved S-109-76 to permit the operation of a nursery school at the Boulevard Baptist Church. In 1950, the Lee Boulevard Baptist Church was approved for an addition measuring 48 by 32 feet to an existing building. The addition was proposed to extend along Lee (now Arlington) Boulevard, and the approved setback was 10 feet from the service drive right-of-way (ROW) and 30 feet from the Lee Boulevard ROW.

ANALYSIS

Special Permit Amendment Plat (Copy at front of staff report)

Title of SPA Plat: Proposed Grading Plan for Boulevard Baptist Church

Prepared By: George B. Korte, Land Surveyor

Dated: January 11, 1984

Proposed Use:

The applicant proposes to add a nursery school and school of special education to an existing place of worship with a child care center. No site modifications are proposed with this application. The proposed uses will utilize a portion of the third floor inside the existing classroom building connected to the church. There is an existing play area adjacent to the building and the play area measures approximately 4,560 square feet in area. The existing child care center and proposed nursery school will share the play area.

The applicant proposes a maximum capacity of 72 children for both the nursery school and school of special education. The school of special education request is to permit Russian language classes and programs for children over five years of age since the nursery school use, which is also Russian focused, is limited to children from two to five years of age. The nursery school and school of special education will operate from 8:00 a.m. to 5:00 p.m., Monday through Friday. The school of special education will additionally operate from 9:00 a.m. to 4:00 p.m. on Saturday. Up to ten employees will work on site at any one time.

13 parking spaces will be required for the nursery school, which includes users of both the nursery school and the school of special education. The parking requirement for a school of special education is for "two (2) spaces per each three (3) employees, plus a sufficient number of spaces to accommodate all persons who may be at the establishment at any one time under normal operating conditions," which would equal, 6

employee spaces and sufficient parking for the rest of the users. However, the parking requirements for the nursery school and school of special education will be counted at the nursery school rate since it is more stringent. Parking for the employees and patrons of the nursery school and school of special education will be provided via the parking lot off the service drive along Arlington Boulevard. Employees, parents and children will then walk from the parking lot to the building's entrance along Arlington Boulevard.

The existing place of worship will continue to function on the site. The church has a maximum seating capacity of 276 seats, and services are held on Sunday at 9:00 a.m., 11:00 a.m., 1:00 p.m. and 6:00 p.m. Office hours for the church are between 9:00 a.m. to 5:00 p.m., Monday through Friday with two employees, and during youth group meetings from 3:00 – 5:00 p.m. on Saturdays, a staff member is usually present. However, the office is not officially open during this time. Other church related activities, including bible studies, occur during weekday evenings, typically after 6:00 p.m. 69 parking spaces are required for the church use.

The existing child care center, New Building Blocks Preschool, operates between 7:00 a.m. to 6:00 p.m., Monday through Friday with a maximum of 80 children and 15 employees at any one time. 15 parking spaces are required for the child care center. The entrance and drop off and pick up area for New Building Blocks Preschool is located off a driveway along the Arlington Boulevard service drive. The child care center currently occupies the second floor of the church's classroom area.

Land Use Analysis

Due to the proposed addition of a nursery school and school of special education, the submission of a new parking reduction request by the applicant is required due to the increased demand for parking on the site. Staff expressed concerns related to the additional parking requirements and possible impacts to the traffic circulation on and off the site. A parking reduction was previously approved for the church and child care center uses on September 11, 2007, by the Department of Public Works and Environmental Services (DPWES) to permit a reduction of 15 parking spaces from 84 total required parking spaces for 70 parking spaces due to the different hours of operation between the church and child care center.

The applicant submitted a parking tabulation to the Department of Public Works and Environmental Services (DPWES) dated and sealed May 25, 2012, included as Appendix 6, to request a reduction of the 97 required parking spaces for the church, child care center, nursery school and school of special education to 69 parking spaces. 70 parking spaces were originally proposed for the application, but, due to the required spacing for handicap spaces, one less space is proposed for the parking area in the driveway. 62 parking spaces will be provided in the parking lot, three handicap spaces will be striped in the driveway, and four parking spaces will be provided along the Westcott Street frontage. Staff has included a development condition to restrict pick up

and drop off activities, as well as staff parking, for the nursery school and school of special education to the parking lot. Staff has also included a development condition to restrict the parking spaces along Westcott Street for the church's use to prohibit pick and drop off activities for the child care center, nursery school and school of special education in these spaces.

In the parking reduction request submission package, the applicant included a parking study based on availability and demand of the parking spaces for the existing and proposed uses. The study indicates that the actual parking demand for the nursery school, school of special education and child care center do not exceed the existing number of spaces from Monday through Friday. On Saturday, there is also sufficient parking for the school of special education and church to operate at the same time.

Based on the operating schedules of the existing and proposed uses on site church, child care center, nursery school and school of special education, staff believes there will be adequate parking on site to accommodate all of the uses. The church's heaviest traffic and parking demand is on Sunday, when the child care center, nursery school and school of private education do not operate. Additionally, pick up and drop off activity for the child care center primarily occurs in the driveway off Arlington Boulevard, and pick up and drop off for the nursery school and school of special education will be conditioned to occur in the adjacent parking lot.

Transportation Analysis (Appendices 8-9)

The Virginia Department of Transportation (VDOT) recommended an updated plat, an evaluation of traffic impacts and access, and advised against drop off along Westcott Street, and the Fairfax County Department of Transportation (FCDOT) recommended a parking reduction or shared parking agreement, as well as restrictions for drop off and pick up and parking activity for the uses. In response, the applicant submitted an updated plat to show an enlarged play area and the existing parking spaces, and the applicant commits to staff's recommendations regarding parking and pick up and drop off for the uses on site. The parking spaces along Westcott Street will be restricted for the church's use only, and pick up and drop off activity for the nursery school and school of special education will be limited to the parking lot only. Staff believes these issues are addressed through the recommended development conditions.

ZONING ORDINANCE PROVISIONS

Special Permit Requirements (See Appendix 10)

- * General Special Permit Standards (Sect. 8-006)
- * Group Standards for All Group 3 Uses (Sect. 8-303)

- * Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship With a Child Care Center, Nursery School or Private School (Sect. 8-308)

General Special Permit Standards (Sect. 8-006)

Staff believes that the application for the addition of the nursery school and school of special education generally meets the eight General Special Permit Standards, particularly Standard 7. General Standard 3 requires that the "adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11." *The applicant is proposing a nursery school and school of special education in an existing place of worship with a child care center. The proposed uses will be accommodated within the existing footprint of the building, and no additions or other major site modifications are proposed with this application. The two requested uses require additional parking spaces, and a parking reduction request is required to determine if parking can be satisfactorily addressed on site. At this time, the applicant has satisfactorily completed a parking reduction request package for the review from DPWES, and the pending approval of the parking reduction request by DPWES will satisfy staff's concern. If the parking reduction request is denied, the applicant must provide the required parking spaces on site or reduce the number of seats or number of children for the child care center, nursery school and/or school of special education to meet parking demands.*

Group 3 Standards (Sect. 8-303)

The Group 3 Standards require that the proposed use comply with the lot size and bulk regulations for the R-4 District, comply with the performance standards and satisfy site plan review. *The site met these requirements at the time of site plan approval previously, and no site modifications are proposed.*

Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship With a Child Care Center, Nursery School or Private School (Sect. 8-308)

The special permit standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship With a Child Care Center, Nursery School or Private School are subject to the additional standards specified in Sect. 9-309 and 9-310. The standards recommend 100 square feet of usable outdoor recreation area for each child at any one time, which must meet specific standards. Additionally, the uses must be located with direct access to an existing or programmed public street to accommodate pedestrian and vehicular traffic generated by the uses. Pick-up and delivery of all persons on site should be handled on site, and the uses are also subject to Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia. *There is an existing play area that measures approximately 4,560 square feet in area. The applicant proposes a*

maximum enrollment of 72 children, and in order to accommodate an enrollment of 72 children, more than one play session will be required. If the application is approved, staff recommends a development condition requiring at least two play sessions to satisfy the play area requirement if there are more than 45 children at any one time. The site is located at the corner of Arlington Boulevard and Westcott Street, and there is direct access to the service drive along Arlington Boulevard and Westcott Street. Staff recommends a development condition to restrict pick up and drop off activities on site in the parking lot along the Arlington Boulevard service drive.

Summary of Zoning Ordinance Provisions

This special permit is subject to Sects. 8-006, 8-303 and 8-308 of the Zoning Ordinance as referenced above, a copy of which is included in Appendix 10. Subject to development conditions, the special permit must meet these standards.

CONCLUSIONS AND RECOMMENDATIONS

Staff believes that the application meets the above referenced standards and recommends approval of SPA 76-S-109-02 for the nursery school and school of special education in an existing place of worship and increase in land area, subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals

APPENDICES

1. Proposed Development Conditions
2. Affidavit
3. Statement of Justification
4. Notice of Violation dated June 17, 2011
5. Resolution and approved plat for SPA 76-S-109
6. Parking Tabulation dated March 21, 2012
7. La Iglesia de Santa Maria memo dated March 20, 2012
8. Fairfax County Department of Transportation Analysis
9. Virginia Department of Transportation Analysis
10. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SPA 76-S-109-02****April 18, 2012**

If it is the intent of the Board of Zoning Appeals to approve SPA 76-S-109-02 located at Tax Maps 50-4 ((16)) 127, 128, 129, 182, 182A, 183, 184 and 50-3 ((6)) 185 for a church and child care center to permit a nursery school and school of special education under Section 3-403 to the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Previously approved conditions or those slightly modified are marked with an asterisk (*). Changes to previously approved conditions are bolded.

1. This approval is granted to the applicant only, La Iglesia de Santa Maria, New Building Blocks Preschool, LLC, and **Dialogue Russian Center for Cultural Development (Dialogue RCCD), LLC d/b/a Metaphor Russian Language School**, and is not transferable without further action of this Board, and is for the location indicated on the application, 6928 and 7000 Arlington Boulevard, consisting of **3.98** acres, and is not transferable to other land.*
2. This special permit amendment is granted only for the purposes, structures and/or uses indicated on the plat prepared by George B. Korte, Land Surveyor, dated January 11, 1984, and approved with this application, as qualified by these development conditions.*
3. A copy of this special permit amendment and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.*
4. This special permit is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this Special Permit shall be in substantial conformance with these conditions. Minor modifications to the approved Special Permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.*
5. The maximum number of seats in the main area of worship shall be two hundred seventy six (276).*
6. The total maximum daily enrollment shall not exceed 80 children for the child care center.*

7. The maximum hours of operation of the child care center shall be limited to Monday through Friday, 7:00 a.m. to 6:00 p.m.*
8. The maximum number of employees on site at any one time for the child care center shall be limited to 15.
9. Upon issuance of a new non-RUP, the total combined maximum daily enrollment shall not exceed 72 students for the nursery school and school of special education.
10. The maximum hours of operation of the nursery school and school of special education shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 9:00 a.m. to 4:00 p.m.
11. The maximum number of employees on site at any one time for the nursery school and school of special education shall be limited to 10.
12. A play area shall be provided which meets the standards set forth by Section 9-310 of the Zoning Ordinance. The play area shall be located outside the minimum required front yards, transitional screening areas, and parking lot.*
13. A minimum of two (2) play sessions shall be required for the nursery school and school of special education if there are more than 45 children at any one time.
14. All parking shall be on site, as depicted on the special permit amendment plat. The applicant shall obtain approval of a parking reduction through DPWES as required by Sect. 11-106.3 of the Zoning Ordinance prior to the issuance of a new Non-RUP for the church, child care center, **nursery school and school of special education** to permit the shared use of the church parking lot for all of the approved uses. If approval of a parking reduction is not obtained, the number of seats in the worship area and/or the number of children in the child care center, **nursery school and/or the school of special education** respectively shall be reduced to meet the parking requirements as determined by DPWES, **prior to issuance of a non-RUP for the nursery school and school of special education, which must be obtained within 6 months of approval of this special permit amendment application ***
15. The four parking spaces along Westcott Street shall be dedicated for the use of the church only.
16. Pick up and drop off for the nursery school and school of special education shall be conducted on site in the parking lot off Arlington Boulevard. There shall be no curbside pick-up and drop off of children.
17. Traffic control devices and/or directional signage shall be arranged on site to direct any traffic for the child care center, nursery school and school of special education to the entrances and parking areas of the different uses.

18. All signage shall be in conformance with Article 12 of the Zoning Ordinance.
19. Transitional screening and barrier requirements on all boundaries shall be modified or waived to that shown on the special permit amendment plat. **The transitional screening shall be maintained, and dead, dying or hazardous materials shall be replaced.***

These development conditions incorporate and supersede all previous development conditions.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six (6) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s): SPA 76-S-109-2
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3/6/12
 (enter date affidavit is notarized)

I, Zhanna V. Buzov, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) ☐ applicant
☒ applicant's authorized agent listed in Par. 1(a) below

112319

and that, to the best of my knowledge and belief, the following is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Dialogue Russian Center for Cultural Development, LLC (Dialogue RCCD, LLC), d/b/a Metaphor Russian Language School	7000 Arlington Boulevard, Falls Church, VA 22042	Co-Applicant / Lessee
Zhanna V. Buzov	6936 Regent Ln., Falls Church, VA 22042	Agent for Co-Applicant
The Rt. Rev. Shannon Sherwood Johnson, Bishop of the Protestant Episcopal Church, Diocese of VA, as successor to the Rt. Rev. James Lee, former Bishop.	7000 Arlington Boulevard, Falls Church, VA 22042	Title Owner/ Lessor
La Iglesia de Santa Maria Episcopal Church	7000 Arlington Boulevard, Falls Church, VA 22042	Co-Applicant / Lessee
New Building Blocks Preschool, LLC	7000 Arlington Boulevard, Falls Church, VA 22042	Co-Applicant / Lessee

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SPA 76-S-109-2
(county-assigned application number(s), to be entered by County Staff)

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3/6/12
(enter date affidavit is notarized)

112 319

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Dialogue Russian Center for Cultural Development, LLC (Dialogue RCCD, LLC)
dba Metaphor Russian Language School
7000 Arlington Boulevard
Falls Church, VA 22042

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Zhanna V. Buzov

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No(s): SIA 76-S-109-2
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 1

Special Permit/Variance Attachment to Par. 1(b)

DATE: 3/6/12
(enter date affidavit is notarized)

112 319

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

NEW BUILDING BLOCKS PRESCHOOL, LLC
7000 Arlington Boulevard
Falls Church, VA 22042

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Mabel Espinosa

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Mabel Espinosa

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s):

SPA 76-S-109-2
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

3/6/12
(enter date affidavit is notarized)

112 319

- 1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

N/A

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s):

SPA 76-S-109.2
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

3/6/12
(enter date affidavit is notarized)

112319

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

None

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): SPA 76-S-109-2
(county-assigned application number(s), to be entered by County Staff)

Page Five

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3/6/12
(enter date affidavit is notarized)

112 319

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

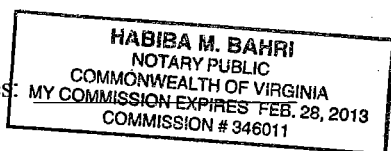
☐ Applicant

☒ Applicant's Authorized Agent

Zhanna V. Buzov / Authorized Agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 6th day of March 2012, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires:



[Signature]
Notary Public

Zhanna V. Buzov
7000 Arlington Blvd.,
Falls Church, VA 22042

Zoning Evaluation Division, Fairfax County
Department of Planning and Zoning
12055 Government Center Parkway,
Fairfax, VA 22035

Statement of Justification

05.01.2011

To Whom It May Concern:

I am applying for the Special Use Permit in an area which has already been working for the past 25 years as a day school and nursery in the following address: 7000 Arlington Blvd., Falls Church, VA 22042. I am currently renting a third floor in this location with intention to continue serving community and provide children with an opportunity of expanding their awareness of ethnic diversity and supporting their historical background. We will provide special programming within our language school, and we are determined to fulfill the requirements set by the county.

- **Special Permit Request:** To amend SP 76-S-109 previously approved for a church to permit change in permittee from Boulevard Baptist Church to La Iglesia de Santa Maria and New Building Blocks Pre School, LLC and a new School of Special Education / Metaphor School for 72 children, operated by Dialogue RCCD, LLC. No physical changes to the site are proposed. Tax Map 50-4 ((16)), 127, 128, 129, 182, 182A, 183, 184, 185.

- **Background**

Site History: Application	Date	Use	BZA Action*
S-109-76 Constance Rabb	07/06/1976	Add Nursery School to existing Church.	Approved (expired)*
S-193-78 Kathleen Sauer	9/26/1978	Permit new Nursery School Operator to existing Church.	Approved (expired)*
SP 84-P-065	11/14/1984	To allow landscaping, grading, and parking addition to existing Church.	Approved (expired)*

- **Existing Church**

Lot Size: 3.47 acres

Parking: 70 spaces

Seats: 276

Employees: 3

Hours: Sunday mass 9:00 am and 11:00 am. Office hours: 9 am to 5 pm, Monday – Friday.

- **Existing Building Blocks Child Care Center**

Number of Students: 80 maximum per day

Employees: 15

Hours: Monday through Friday: 7 am to 6 pm

- **Proposed School of Special Education / Metaphor School**

Number of Students: 72 maximum per day, based on the Occupancy Load Permit, issued by Virginia Department of Social Services on 04/01/2011.

Employees: 10

Hours: Monday through Friday, 8 am to 5 pm; Saturday 9 am to 4 pm.

- **Vicinity of the general area to be served by the use:** Fairfax, Falls Church, and Vienna.
- **Location:** the building is situated off service road into a driveway, and does not directly affect traffic in route 50.
- **Site Description:** The church is located at the intersection of the service road along Arlington Boulevard and Westcott St., and is zoned R-4. The property is developed with the church and related facilities in a structure that is located at the southwest corner of Westcott Street and Arlington Boulevard service drive.

A parking lot is located in the southwestern portion of the site. The site is accessed by two curb cuts accessing the parking lot along the service road and one to a driveway with several parking spaces located on the western side of the church adjacent to the play area. Driveway on the western side and the parking spaces has a direct access to the section of New Building Blocks Pre School. There is another driveway along with several additional parking spaces at the eastern side of the building, which has direct access to the section of Metaphor Nursery School.

Upon Approval of the current application Metaphor School will submit a request for a "Shared Parking Agreement", stating that the church and both schools will not be using parking spaces at the same time.

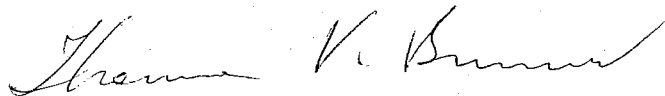
- **Parking:** All employees and visitors will park at the parking lot located in the southwestern portion of the site.
- **Traffic Impact:** The masses at the Church take place only on Sundays at 9 am and 11 am. Neither the Church nor New Building Blocks Pre School holds any activities on Saturday. New Building Blocks Pre School expects maximum of 70 cars between 7:00 am and 8:00 am, and between 5:00 pm and 6:00 pm. Monday through Friday. Metaphor School expects a maximum of 60 cars to drive through the access road between 8:00 am and 9:00 am, and between 4:00 pm and 5:00 pm. Monday through Friday, and maximum 70 cars to drive through the access road between 9:00 am and 9:30 am, and between 4:00 pm and 4:30 pm. On Saturdays. No drop offs will be permitted on Westcott Street. The pedestrians will access the building through the main office entrance located on inside corner of building between Westcott St. and Arlington service road.

The current application does not require a traffic impact study under the 527 guidelines according to the Fairfax County DOT Determination dated 11/30/11 (see attached).

- There will be no new buildings erected or additions performed.
- There will be no hazardous or toxic substances generated. The cleaning supplies utilized will be stored and locked in a place not accessible by children.
- We will follow all ordinances, in particular the applicable ordinance standards 9-304, 9-309, and 9-310.

Thank you for your time consideration.

Sincerely,



Zhanna V. Buzov

Zhanna V. Buzov
7000 Arlington Blvd.,
Falls Church, VA 22042

May 05, 2011

Zoning Evaluation Division
Fairfax County
Department of Planning and Zoning
12055 Government Center Parkway,
Fairfax, VA 22035

Parking Use Description

Attachment to Tax Map Parcel 50-4 ((16)) 182A, WSR 0607 021

To Whom It May Concern:

Total available parking spaces on property at 7000 Arlington Blvd., Falls Church VA 22042 are 70. The maximum amount of students attending Dialogue, Russian Center for Cultural Development Monday through Saturday will be 72. The maximum amount of children attending New Building Blocks Day School Monday through Friday will be 80.

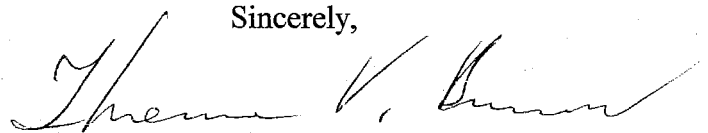
0.19 children is calculated per parking space. Therefore New Building Blocks Day School requires maximum of 15 parking spaces Monday through Friday, and Metaphor School will occupy maximum of 13 spaces Monday through Saturday. All employees and visitors will park at the parking lot located in the southwestern portion of the site.

Church seating capacity is 276. Maximum attendance for individual Sunday mass is 220. One parking space is calculated per 4 seats. 220 maximum attending parishioners would require 55 spaces during Sunday masses only. Neither New Building Blocks Day School nor Metaphor school intends to run any activity on Sundays or after 6 pm Monday through Friday.

Upon approval of our application, we will submit a request for a "Shared parking agreement", which would prevent the simultaneous use of the parking spaces by the church and our school.

Thank you for your time and consideration.

Sincerely,



Zhanna V. Buzov

Dialogue, Russian Center for Cultural Development, LLC
d/b/a Metaphor Russian Language School
7000 Arlington Blvd, Falls Church, VA 22042

Site Plan

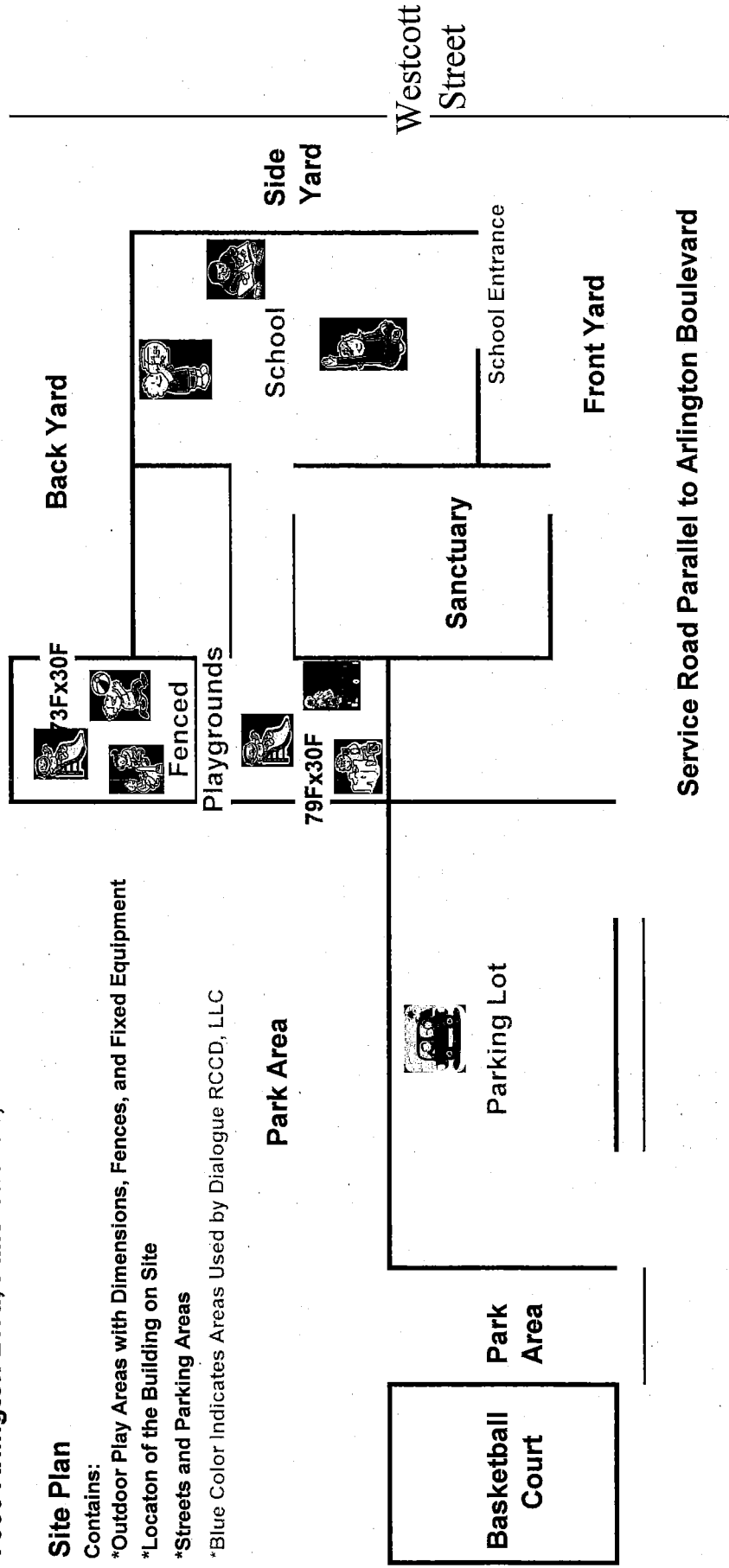
Contains:

*Outdoor Play Areas with Dimensions, Fences, and Fixed Equipment

*Location of the Building on Site

*Streets and Parking Areas

*Blue Color Indicates Areas Used by Dialogue RCCD, LLC



Alternative Parking

Arlington Blvd



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County.

NOTICE OF VIOLATION

DATE OF ISSUANCE: June 17, 2011

CERTIFIED MAIL #: 70102780000121573277

CASE #: 201005157 **SR#:** 71573

SERVE: The Right Reverend Peter James Lee
7000 Arlington Boulevard
Falls Church, Virginia 22042

LOCATION OF VIOLATION 7000 Arlington Boulevard
Falls Church, Virginia 22042-1827
Tax Map #: 50-4 ((16)) 182A
City Park Homes, Sec.3, Church
Zoning District: R-4

Dear Property Owner:

This Letter is in response to a recent complaint regarding the conditions of Special Permit Amendment 76-S-109.

§ 2-303 (1) Special Permit Uses

Research of our records indicates that the referenced property is subject to SPA 79-S-109, which was approved by the Board of Zoning Appeals (BZA) on July 17, 2007, with development conditions. Specifically, Condition #1 and Condition #2, state:

1. This approval is granted to the applicant only, La Iglesia De Santa Maria and New Building Blocks Preschool, LLC, and is not transferable without further action of this Board, and is for the location indicated on the application, 7000 Arlington Blvd., consisting of 3.47 acres, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit

plat prepared by George B. Korte, Land Surveyor, P.C.,
dated January 11, 1984, and approved with this application,
as qualified by these development conditions.

A zoning investigation of the above referenced property on June 3, 2011, revealed that you are allowing a Russian Language School (Dialouge RCCD, LLC) to use and operate a school of special education from the property without amending SPA 79-S-109.

Since, a school (Russian Language School) is not an indicated permitted use for SPA 79-S-109, this letter is to inform you that you are not in conformance with the conditions of SPA 79-S-109 and are in violation of Par. 1 of Sect. 2-303 of the Fairfax County Zoning Ordinance, which states:

No use of a structure or land that is designated as a special permit use in any zoning district shall hereafter be established, and no existing use shall hereafter be changed to another use that is designated as a special permit use in such district, unless a special permit has been secured from the BZA in accordance with the provisions of Article 8.

Therefore, you, are hereby notified of the above violation and are hereby directed to clear this violation within (30) days of receipt of this Notice. Compliance can be achieved by the following:

- Ceasing, on a permanent basis, the school use (Russian language School) on the property; and
- Restoring the use of the property to that of the limitations of SPA 79-S-109, which allows only for La Iglesia De Santa Maria and New Building Blocks Preschool, LLC to operate from the subject property; or
- Applying for and receiving approval to amend SPA 79-S-109 to allow the school use (Russian language School) on the property

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the Notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance.

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party and any other information that you may wish to submit and a \$600.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision

The Right Reverend Peter James Lee
June 17, 2011
Page 3

before the BZA.

Should you have any questions or need additional information, please do not hesitate to contact me at (703)324-9327 or 703-324-1300.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Caudle", written in a cursive style.

Michael Caudle
Code Compliance Investigator

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

LA IGLESIA DE SANTA MARIA AND NEW BUILDING BLOCKS PRESCHOOL, LLC, SPA 76-S-109 Appl. under Sect(s). 3-403 of the Zoning Ordinance To amend SP 76-S-109 previously approved for a church to permit change in permittee and child care center. Located at 7000 Arlington Blvd. on approx. 3.47 ac. of land zoned R-4. Providence District. Tax Map 50-4 ((16)) 127, 128, 129, 182, 182A, 183 and 184. Mr. Beard moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on July 17, 2007; and

WHEREAS, the Board has made the following findings of fact:

1. The owner of the property is the Episcopal Diocese of Virginia.
2. This application is a reiteration of what has been happening there with a minor amendment and a change in lessee or operating occupant and is well within accord.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in Sect(s). 3-403, 8-303, and 8-308 of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, La Iglesia De Santa Maria and New Building Blocks Preschool, LLC, and is not transferable without further action of this Board, and is for the location indicated on the application, 7000 Arlington Blvd., consisting of 3.47 acres, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by George B. Korte, Land Surveyor, P.C., dated January 11, 1984, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.

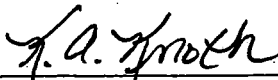
5. The maximum number of seats in the main area of worship shall be two hundred seventy six (276).
6. Upon issuance of a new Non-RUP, the total maximum daily enrollment for the child care center shall not exceed 80 children.
7. The maximum hours of operation of the child care center shall be limited to Monday through Friday: 7:00 a.m. to 6:00 p.m.
8. A play area shall be provided which meets the standards set forth by Section 9-310 of the Zoning Ordinance. The play area shall be located outside the minimum required front yards, transitional screening areas, and parking lot.
9. All parking shall be on-site, as depicted on the special permit plat. The applicant shall obtain approval of a parking reduction through DPWES as required by Sect. 11-106.3 of the Zoning Ordinance prior to the issuance of a new Non-RUP for the church and child care center to permit the shared use of the church parking lot for both the church use and school use. If approval of a parking reduction is not obtained, the number of seats in the worship area and/or the number of children in the child care center shall be reduced to meet the parking requirements as determined by DPWES.
10. Transitional screening yards and barrier requirements on all boundaries shall be modified or waived to that shown on the special permit plat.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless a new Non-RUP has been issued. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Hammack seconded the motion, which carried by a vote of 6-0. Mr. Byers was absent from the meeting)

A Copy Teste:



Kathleen A. Knoth
Clerk to the Board of Zoning Appeals

NEW

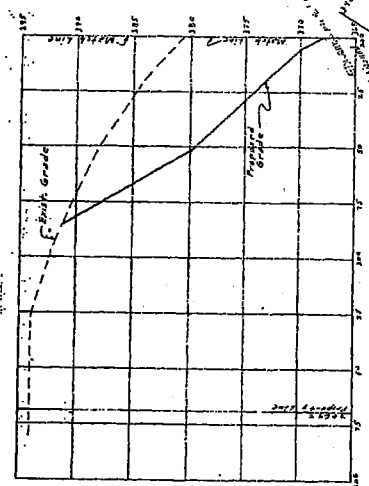
PROPOSED GRADING PLAN
FOR
BOULEVARD BAPTIST CHURCH
Fairfax County, Virginia
Scale: 1"=30' Jan 11, 1984



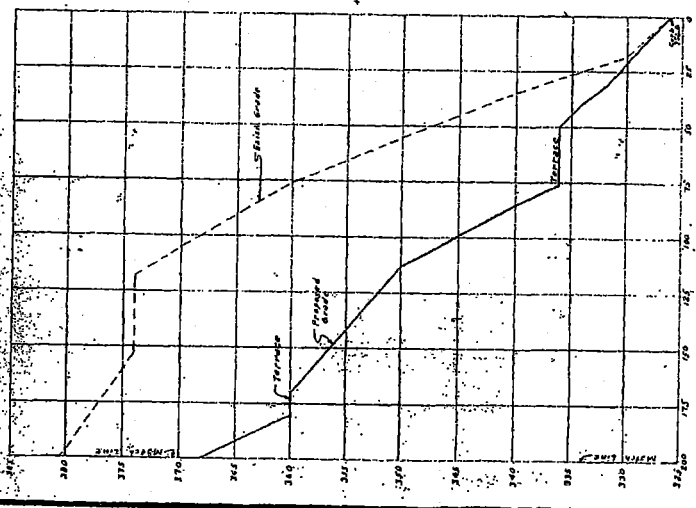
Prepared by
GEORGE B. KORTE
Land Surveyor
7141 Shreve Road
Falls Church, Virginia



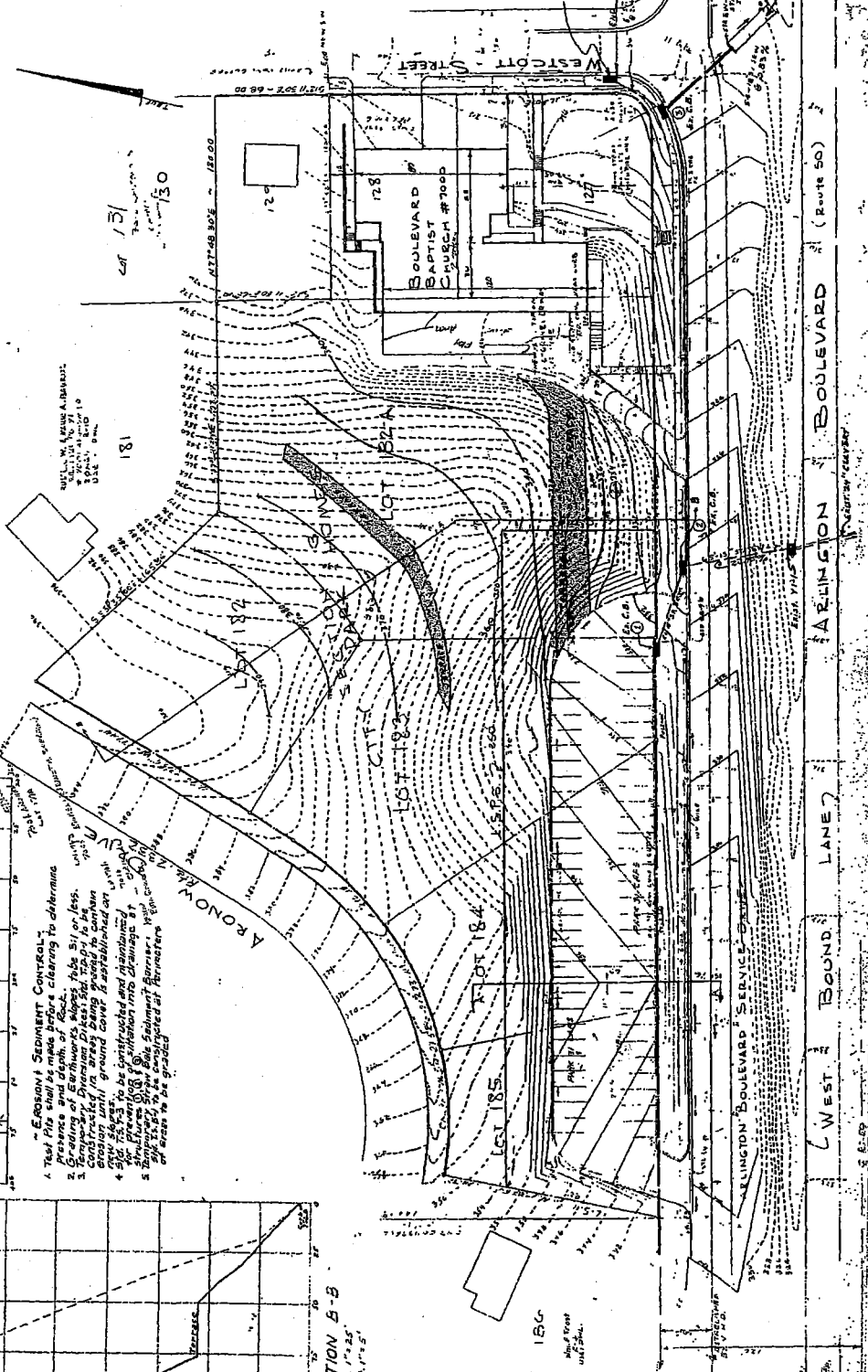
NOTES -
- See Map Ref: 90-4144, 182A, 182 & 183.
- Legal Lot 182A, 182 & 183.
- Section 5, CITY PARK HOMES
Zoning: R-4
Owner/Applicant: Boulevard Baptist Church
Agent: George B. Korte



- EROSION/SEDIMENT CONTROL -
1. Test Pit Installation and clearing to determine presence and depth of rock.
2. Grading of Erosion/Control Slopes to 3:1 or less.
3. Contouring Erosion/Control Slopes to 3:1 or less.
4. Contouring Erosion/Control Slopes to 3:1 or less.
5. Contouring Erosion/Control Slopes to 3:1 or less.
6. Contouring Erosion/Control Slopes to 3:1 or less.
7. Contouring Erosion/Control Slopes to 3:1 or less.
8. Contouring Erosion/Control Slopes to 3:1 or less.
9. Contouring Erosion/Control Slopes to 3:1 or less.
10. Contouring Erosion/Control Slopes to 3:1 or less.



PROFILE SECTION B-B
Scale: Horiz. 1"=30'
Vert. 1"=5'

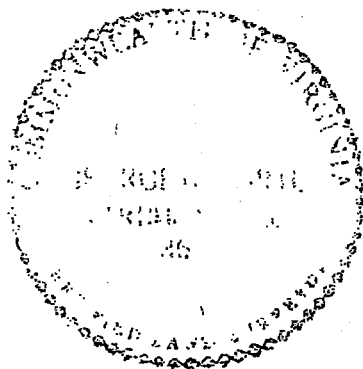


WEST LANE BOULEVARD (Route 50)

PROPOSED GRADING PLAN
For
BOULEVARD BAPTIST CHURCH

Fairfax County, Virginia

Scale: 1" = 30' Jan. 11, 1984



Prepared By:

GEORGE B. KORTE

Land Surveyor

7141 Shreve Road

Falls Church, Virginia

Attachment to Tax Map Parcel
50-4((16)) 182A, WSR 0607 021

Total available parking spaces on property are 70.

The maximum # of children attending New Building Blocks Day School
Monday - Friday will be 80.

.19 children per parking space = 15.2 required spaces.

Church seating capacity is 276. However, maximum attendance for an
individual Sunday mass is 220.

1 parking space per 4 seats = 69 required spaces. Note: 1 space for 220
maximum attending parishioners would require 55 spaces.

Upon approval of our application, we will submit a request for a "Shared
Parking Agreement," being that the church and school will not be using the
spaces at the same time.

PROPOSED SITE PLAN USE AND PARKING TABULATION REVISION

Engineer: JOHN JORGESONPlan Name: LA IGLESIA DE SANTA CHURCH Address: 1000 VANTAGE DRIVE ALEXANDRIA VA 22306 Phone #: 703.660.6615Zoning: R-4 Original Site Plan #: 1152 Tax Map #: 0504-16-0102A

Rezoning Case #: _____

Proffered: ☐ Yes ☒ No Proffered Use Restrictions (See Note 1 below) N/A, 128 & 129

ADDRESS	LIST EACH FLOOR (include basement)	SUITE #	USE (See Notes 2, 3 and 4 below)	USE PERMITTED BY			SQUARE FEET GROSS FLOOR AREA	SQUARE FEET NET FLOOR AREA	# SEATS AND/OR STOOLS	# COMPANY VEHICLES	# SERVICE BAYS	# OF EMPLOYEES	# STUDENTS	OTHER	PARKING RATE REQUIRED PER CODE (See Note 5 below)	TOTAL PARKING SPACES REQUIRED FOR THIS USE		
				RIGHT	SPECIAL PERMIT	SPECIAL EXCEPTION												
1000 ARLINGTON BLVD FAULS CHURCH, VA	BASEMENT		CHURCH	✓			4,441		N/A							0		
	1ST FL.		CHURCH	✓			9,332		276						1 PER 4 SEATS	69		
	2ND FL.		CHURCH	✓			9,332		N/A							0		
	3RD FL.		CHURCH	✓			6,132		N/A							0		
(If additional space is required use Page 2)																		
NUMBER OF ACCESSIBLE SPACES(S) PROVIDED		2	+ VAN ACCESSIBLE SPACE(S) PROVIDED			1	REQUIRED TOTAL FOR ENTIRE SITE PLAN										97*	
(The total number of parking spaces, including accessible parking spaces, available and useable for vehicular parking on the area covered by this site plan (See Note 6 below))																	= TOTAL ACCESSIBLE PARKING SPACE(S) on site per ADA Act and VUSBC (See Note 6 below)	3

* List proffered use Prohibitions or Limitations

1 In building where one floor has more than one use (personal services, general office & retail), use a separate line for each use. The uses must correspond to those identified in Article 11 of the Zoning Ordinance, or else documentation of the Zoning Administration determination must be attached to the tabulation.

2 Units which are vacant shall be included, the intended use shall be indicated and parking allocated.

3 Developer should make an initial parking assignment for each unit on the site plan. If developer, condominium, association or landlord wishes to make changes to assigned number of spaces after final site plan bond release, a site plan revision for reallocation of parking will be required.

4 This form, when properly completed and certified, is intended to be such a site plan revision.

5 If use is a Grandfathered use, it may be calculated at previous code parking rate if so identified and justification is submitted with the parking tabulations.

6 Certification is taken to mean that the number of parking spaces shown as being provided is actually available on the site and useable (not occupied or blocked by dumpsters, air conditioners, incinerators, storage trailers, etc.), that all uses on the site have been in compliance with the above listing, and that the requisite number of spaces and signage for compliance with ADA are provided. The number of parking spaces must be in conformance with the associated rezoning, special exception, special permit and variance.

Certified Correct (Applicant) Engineer's Signature: _____

County Approval by: _____

Property Owners, Landlords, Condominium Association - Concurrence with Tabulation

Print Name & Title (Include company name when appropriate): _____

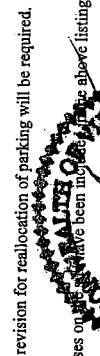
Submit to: Land Development Services, Site and Addressing Center, 12055 Government Center Parkway, Fairfax, Virginia 22035-5503

REVISED FORM (3/2012)

Number of copies required: One (1) original with Engineer's Seal, Signature and date, plus four (4) copies.

Sheet 1 of 2

* 20 SPACES REDUCTION REQUESTED DUE TO DIFFERENT HOURS OF OPERATION.


 Date: 5/25/12
 Signature: [Signature]
 License No. 0101916

 LAND SURVEYOR
 No. 0101916

Parking Study 8 am - 6 pm

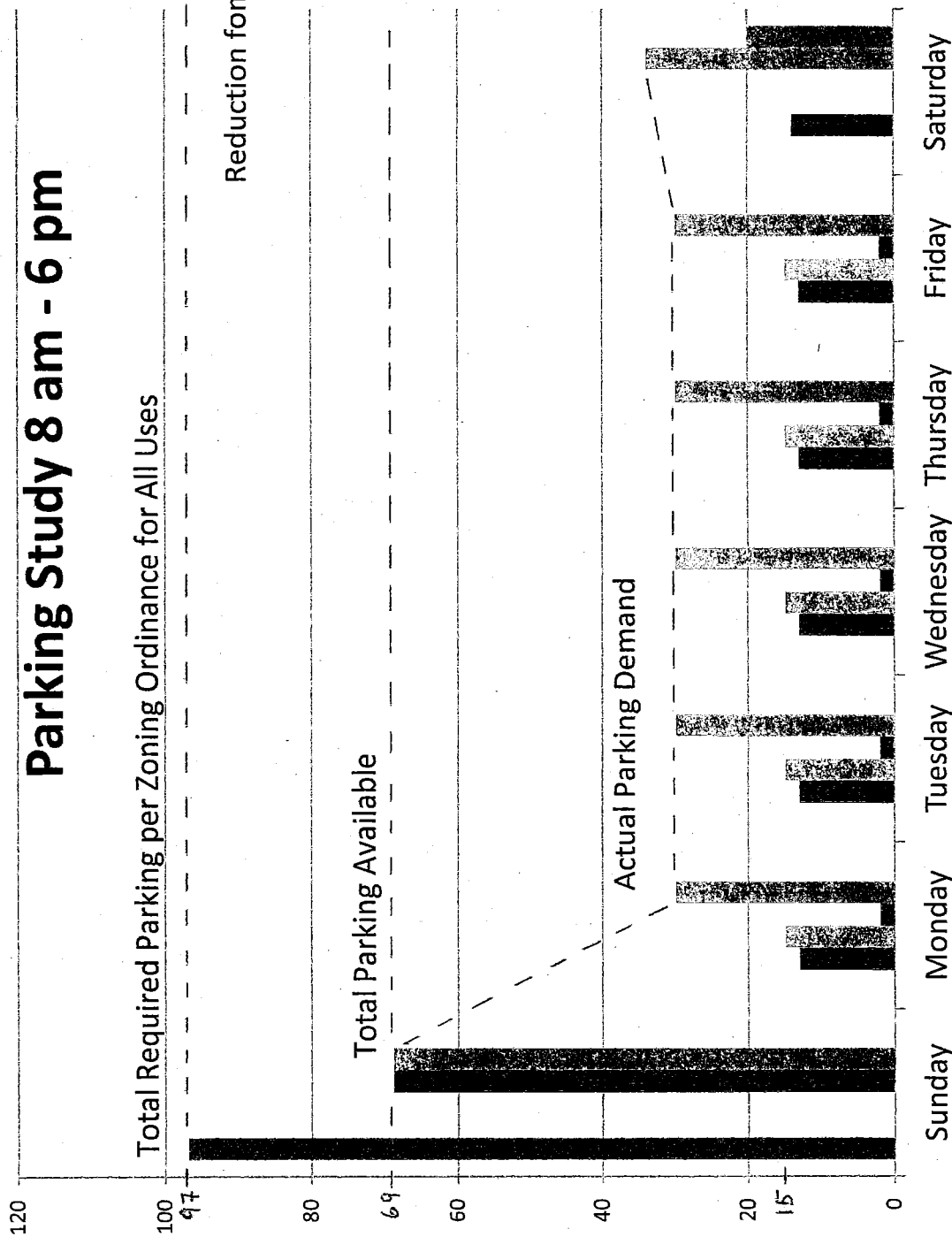
Total Required Parking per Zoning Ordinance for All Uses

Reduction fom Required - 13.4%

Total Parking Available

Actual Parking Demand

- Total for all Use
- Metaphor
- Building Blocks
- Church
- Combined
- Youth Group



Church and Two Day Care Facilities on the Same Site

Actual Parking Demand curve shows peak accumulation during Sunday services, a limited parking use during the week days and on Saturdays

La Iglesia de Santa Maria

700 Alrlington Blvd., Falls Church, VA 22042
 Phone: (703) 533-9220 + Fax (703) 533-9225
 E-Mail: santamaria@vacoxmail.comm

MEMO:

March 20, 2012

To: To Whom It May Concern

From: The Rev. Roberto Orihuela

- 1 This is to confirm that, La Iglesia de Santa Maria and Dialogue RCCD, d.b.a. Metaphor Russian Language School, have entered into leases agreement of a portion of the educational area of the church, pending approval of all necessary permits and licenses required by law.
- 2 The seating capacity of the church is 276.
- 3 The total parking spaces provided are 70 (seventy) distributes as follow:
 60 (sixty) spaces located in church's large parking lot, 6 (six) more spaces located in a small parking area adjacent to the church building, 4 (four) additional spaces located in a small parking area off Westcott St. Thus the total of spaces available is 70 (seventy).
- 4 Office hours of operation are Monday to Friday from 9:00 AM to 5 PM.
- 5 The church has three two time employees.
- 6 Existing tenant on site is Building Blocks Day School, LLC. Building Blocks School runs its program Monday through Friday, 7 a.m. until 6 p.m., and requires 15 parking spaces for its use.

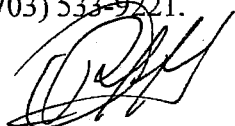
The following is a description of the programs run at our location, including days of the week, seasons, times and number of persons attending theses programs. Church programs and services are run after regular office hours.

Activities/Program	Days of the Week	Season	Hours	# of Persons
Sunday Mass	Sunday	Year Round	9:00 am	60 to 100
Sunday Mass	Sunday	Year Round	11:00 am	190 to 200
Sunday Mass	Sunday	Year Round	1:00 pm	50 to 80
Sunday Mass	Sunday	Year Round	6:00 pm	30 to 50
Leadership meeting	Tuesday	Year Round	7:30 pm to 10:00 pm	8 to 22
Church Council	Once a month	Year Round	8:00 pm to 10:30 pm	12.
Bible Studies	Wednesday	Year Round	7:30 pm to 9:30 pm	12 to 20
Sacramental Preparation	Wednesday	Year Round	6:00 pm to 8:30 pm	15 to 45
AA	Thursday	Year Round	7:00 pm to 8:00 pm	8 to 12
Sacramental Preparation	Thursday	Year Round	7:00 pm to 8:30 pm	10
Marriage Preparation	Friday	Year Round	7:30 pm to 10:30 pm	15-20
Youth Group	Saturday	Year Around	3:00 to 5:00 pm	15 to 25
Office Hours	Monday to Friday	Year Around	9:00 am to 5 pm	2

If you have any questions or require of additional information, please do not hesitate to contact me at (703)533-9220 or (703) 533-9221.

Sincerely,

The Rev. Roberto Orihuela





County of Fairfax, Virginia

MEMORANDUM

DATE: April 10, 2012

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section
Department of Transportation

FILE: 3-6 (SP 76-S-109)

SUBJECT: Transportation Impact

REFERENCE: SPA 76-S-109-02; La Iglesia de Santa Maria and New Building Blocks Preschool, LLC;
and Dialogue, Russiona Center for Cultural Development, LLC d/b/a/ Metaphor Russian
Language School
Traffic Zone: 1420
Land Identification: 62-3 ((13)) 44

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the plat and other information made available to this department. The applicant wishes to amend SP 76-S-109, previously approved for a child care center in an existing place of worship, to permit an additional use of a school of special education. The existing child care center/nursery school has a maximum of 80 children per day from 8 am to 6 pm Monday through Friday. The proposed school would have a maximum of 72 students per day from 8 am to 5 pm Monday through Friday. Current enrollment is 52 students. All vehicles park in the parking lot and students are walked into the building and picked up in the building.

- All parking must be on-site and a parking reduction or a shared parking agreement should be obtained for the application to be approved. The church requires 69 spaces, the existing nursery school requires 15 and the proposed school requires 13. Total parking on the property is 70 spaces, however, it appears there are only 62 spaces in the parking lot. All 70 spaces should be clearly shown and labeled.
- Parking adjacent to the building on the east side is reserved for church use only and will be conditioned as such.
- There should be no parking on Wescott Street itself for students or drop-offs. If this parking is utilized, it should be for staff only.
- Pick-up/drop-off times of the two schools may overlap, in which case, times for the language school should be adjusted to avoid conflicts as all vehicles must park in the one parking lot.

AKR/LAH/lah

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877 5723
www.fairfaxcounty.gov/fcdot



**COMMONWEALTH of VIRGINIA****DEPARTMENT OF TRANSPORTATION**

GREGORY A. WHIRLEY
COMMISSIONER

4975 Alliance Drive
Fairfax, VA 22030

January 12, 2012

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Kevin Nelson
Virginia Department of Transportation – Land Development Section

Subject: SPA 1976-S-109-02 Dialogue RCCP
Tax Map # 50-3((06))0185 et.al.

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on July 21, 2011, and received January 10, 2012. The following comments are offered:

1. An up to date plat should be provided showing the site improvements.
2. Traffic impacts and access to the site need to be evaluated.
3. Where will the pedestrians access the building?
4. Where will the employees park?
5. No drop offs should be permitted on Wescott Street unless they have ADA needs.

If you have any questions, please call me.

cc: Ms. Angela Rodeheaver
fairfaxspex1976-S-109-02spa1DialogueRCCP1-12-12BB

ZONING ORDINANCE PROVISIONS

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.

2. All uses shall comply with the performance standards specified for the zoning district in which located.

3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

8-308 Additional Standards for Churches, Chapels, Temples, Synagogues or Other Such Places of Worship With a Child Care Center, Nursery School or Private School

Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education may be approved as a special permit use in accordance with the provisions of this Part or as a special exception use in accordance with the provisions of Part 3 of Article 9. The choice of whether to file an application for a special permit or special exception shall be at the applicant's discretion. In either event, such use shall be subject to the additional standards set forth in Sections 9-309 and 9-310.

9-309 Additional Standards for Child Care Centers and Nursery Schools

1. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed.

For the purpose of this provision, usable outdoor recreation area shall be limited to:

- A. That area not covered by buildings or required off-street parking spaces.
- B. That area outside the limits of the minimum required front yard, unless specifically approved by the Board in commercial and industrial districts only
- C. Only that area which is developable for active outdoor recreation purposes.
- D. An area which occupies no more than eighty (80) percent of the combined total areas of the required rear and side yards.

2. All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the Board deems to be necessary or advisable:

Number of Persons

Street Type

1-75

Local

76-660
660 more

Collector
Arterial

3. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.

4. Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.